


PCT/PTO 07 JUN 2001

FORM PTO-1390 (REV 5-93)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 108172-00071
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		DATE: June 7, 2001
		U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.55) <b>09/856470</b>
INTERNATIONAL APPLICATION NO. PCT/US99/27919	INTERNATIONAL FILING DATE December 8, 1999	PRIORITY DATE CLAIMED December 8, 1998
TITLE OF INVENTION: GENETIC MARKERS WHICH IDENTIFY INDIVIDUALS WHO IMPROVE THEIR CHOLESTEROL LEVELS AND DIABETES STATUS WITH EXERCISE		
APPLICANT(S) FOR DO/EO/US: James M. HAGBERG; Robert E. FERRELL; Alan SHULDINER		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English [35 U.S.C. 371(c)(2)].</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</li> </ol> <p>Items 11 - 16 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.  <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: Copies of: PCT/IPEA/402; PCT/IPEA/416; PCT/IB/306; Request for Change under PCT Rule 92<sup>bis</sup>; Response to Invitation to Correct Defects in the Demand; Demand for International Preliminary Examination; Demand; PCT/IB/308; PCT/IB/318; PCT/IB/304; Response to Invitation to Correct Defects; Response to Invitation to Correct Priority Claim; PCT/IB/316; Response to Invitation to Correct Defects; PCT/IB/304; published International Application No. PCT/US99/27919</li> </ol>		
CHECK NO. 318923		

U.S. APPLICATION NO. (IF KNOWN) SEE 37 C.F.R. 1.55 <b>09/856470</b>		INTERNATIONAL APPLICATION NO. PCT/US99/27919		ATTORNEY DOCKET NO. 108172-00071  DATE: June 7, 2001	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:</b> Search Report has been prepared by the EPO or JPO.....\$860.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....\$690.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....\$710.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,000.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00				CALCULATIONS   PTO USE ONLY	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 690.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	5 - 20 =	0	X \$ 18.00	\$ 0	
Independent Claims	5 - 3 =	2	X \$ 80.00	\$ 160	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 850	
Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$ 850	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 850	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 850	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$850 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300. NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: <b>Arent Fox Kintner Plotkin &amp; Kahn</b> 1050 Connecticut Avenue, N.W., Suite 600 Suite 600 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810					
 <b>Richard J. Bertram</b> Reg. No. 39,167					
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patent application serial no.

09/856470

Department of Commerce  
Patent and Trademark Office  
for record

06/11/2001 MNGUYEN 00000170 09856470

01 FC:956 690.00 DP

~~02 FC:964 160.00 DP~~

Adjustment date: 10/02/2001 LLANDGRA

06/11/2001 MNGUYEN 00000170 09856470

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10/02/2001 LLANDGRA 00000050 09856470

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60.00 DP

Rep'n. Ref: 10/02/2001 LLANDGRA 0013120100

AAA:012300 Name/Number:09856470

FC: 724

600.00 CR